11-2009

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Cleveland-Marshall College of Law

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THE GAVEL

VOLUME 58, ISSUE 2 | THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW | NOVEMBER 2009

Ohio AG shares experience arguing before U.S. Supreme Court

Attorney General details his case to uphold death sentence for the 1982 CSU campus murders

By Mike Borowski
STAFF WRITER

State attorneys general rarely present their own oral arguments before the United States Supreme Court. An infamous example to the contrary came in 1987's South Dakota v. Dole, when South Dakota Attorney General Roger Tellinghuisen presented such an insufficient case that both the majority and dissenting opinion mentioned his arguments. In sharp contrast to Tellinghuisen, Ohio Attorney General Richard Cordray drew on a wealth of Supreme Court experience when he presented the state's arguments for reinstating the death sentence of convicted serial killer Frank Spisak. Cordray argued the case, Smith v. Spisak, before the Supreme Court October 13. Just two days later, he analyzed his approach and the Spisak case's special ties to Cleveland State University, in a crowded lecture in the Cleveland-Marshall Moot Court Room. The C-M student chapter of the American Constitution Society sponsored Cordray's lecture, with the Criminal Law Society as co-sponsor.

Attorney General Cordray's Supreme Court experience dates to the 1980s. After he graduated from the University of Chicago Law School in 1986, Cordray clerked twice in the Supreme Court—first for Justice Byron White, and later for Justice Anthony Kennedy. In 1993, then-Attorney General Lee Fisher named Cordray Ohio's first-ever State Solicitor. As State Solicitor, Cordray argued the first of his seven total cases before the Supreme Court. Among those seven, the Justice Departments of President George W. Bush and President Bill Clinton each appointed Cordray to two cases. Cordray also worked pro bono on

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Spisak case leads victim's son to legal career

By Jillian Snyder
STAFF WRITER

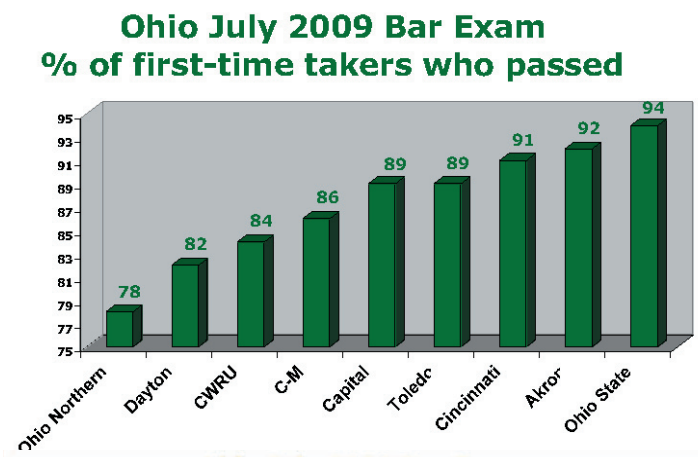
When 1993 Cleveland-Marshall alum Brendan Sheehan was sworn in as Cuyahoga County Common Pleas Court Judge Jan. 8, the ceremony was especially poignant. The story of Sheehan's motivation to become a prosecutor and judge is both difficult and inspiring, and holds special meaning with respect to the Cleveland legal community and Ohio Attorney General Richard Cordray's Oct. 15 lecture at C-M.

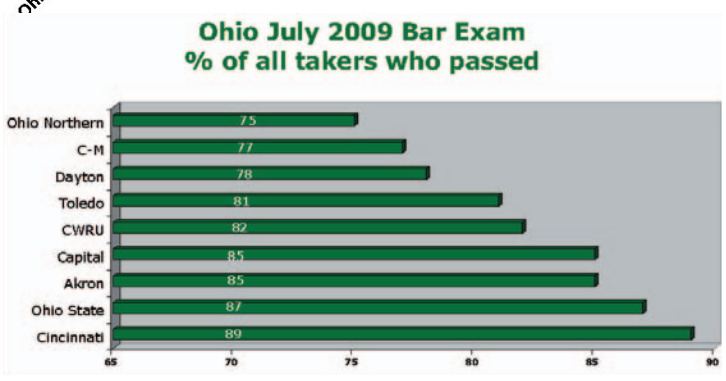
On Aug. 27, 1982. Sheehan's father, Timothy, was due home from work as CSU's assistant superintendent for buildings and grounds. Brendan and

SEE **SHEEHAN**, PAGE 4

C-M Bar Results dips slightly from last year,

First-time passage rate still best in Cleveland





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So long 'Cleveland-Marshall,' welcome to the new 'C M'

Law school unveils branding campaign

By Jillian Snyder
STAFF WRITER

New banners in bright green and bold letters hang in the atrium to greet students, faculty, and visitors to "C|M|Law."

The updated logo is one of the results of the law school's fund-raising initiatives to improve and update the image of Cleveland-Marshall. The new "C|M|Law" logo has a modern flair but "also captures the historic origins of our excellent law school," Dean Mearns said in a recent interview.

Student Bar Association President Lindsay Wasko considers the new branding campaign to be one exciting aspect of her presidency thus far. At the beginning of her term, Dean Mearns contacted Wasko regarding the merchandise that the SBA sold to the C-M community. Mearns explained the need for an update on the classic C-M logo.

"Dean Mearns told me that for some years he has tried to change the C-M image so that our law school could be recognized, although still affiliated, as an independent institution from CSU," Wasko said. With the success of the fund-raising campaign and the hire of a new director of marketing at CSU, the C-M logo recently received that update. The familiar heather gray and forest green have been traded in for fresher, more modern colors of lime green, black, and white.

"The new look accomplishes what the Dean wanted, something edgy and recognizable," said Wasko. "In terms of the shortened

SEE **CM BRAND**, PAGE 3

Interview: New CSU President keeps law school a priority

By John Stryker
CONTRIBUTOR

A change in guard at Cleveland State brings apprehension over possible changes that lie ahead, especially when the previous leadership was highly regarded. I imagine many law students, like myself, wondered if the search committee remembered to represent the law school's interest while picking the chosen one. To answer some of these questions, I requested an interview from our new president, Ronald Berkman.

Berkman was appointed July 2009 as CSU's newest president. Previously he was provost and executive vice president at Florida International University (FIU) in Miami.

From the law student perspective, a few things about President Berkman eased my mind. First, he established a law school at FIU. Secondly, one of his initial statements in our interview was that his daughter is now attends law school. He reiterated some of her struggles in torts and contracts classes. Both statements made him very sympathetic to the law student's cause.

SEE **PRESIDENT**, PAGE 4

Dean puts new 'mark' on school as a result of fundraising and marketing initiative

Geoffrey Mearns
The Dean's Column

In my last column, I indicated that the law school had recently embarked upon a new initiative to increase awareness of the law school and to enhance our reputation. I would like to give you some more information about the origin and purpose of this initiative.

Since becoming dean more than four years ago, it has become clear to me that this law school is much better than some people perceive. Unfounded and outdated misconceptions impede our ability to attract even more outstanding students and faculty, and these misperceptions may inhibit employment opportunities for our graduates.

Last year, I began talking with some members of our alumni advisory groups about various ways in which we could make our good law school even better, including ways in which we could change these misperceptions.

In response to these discussions, several engaged and generous alumni encouraged me to establish a new fund-raising campaign – the Fund for Excellence. The goal of this campaign, which we commenced last Fall, is to raise $1 million to improve the law school in ways that can be measured. I am pleased to report that, as of June 30, 2009, we have received approximately $350,000 in gifts and documented pledges to support this initiative.

This past summer, we used some of these funds to engage a marketing firm. One of the projects we asked this firm to assist us with was developing a new mark for the law school.

To develop this mark, we began with a few basic premises. First, we wanted a mark that preserved our historic identity. Second, we wanted a mark that would be distinctive. Third, we wanted a mark that was visually attractive.

At the end of the process, we selected C|M|Law. This mark meets all of our objectives. It is attractive and distinctive. It also captures the historic origins of our excellent law school, which is the product of the merger of the Cleveland Law School and the John Marshall School of Law.

> [C|M|Law, the new brand,] is attractive and distinctive. It also captures the historic origins of our excellent law school.
> Dean Mearns

Over the last few weeks, I have displayed this mark at various alumni events, and I showed it to the students who attended the open forums I held a few weeks ago. Everyone who has seen the new mark has been favorably impressed.

Indeed, one of the most gratifying aspects of this initiative has been how excited alumni, staff, and students are about being able to display their pride in our law school by wearing t-shirts and other apparel with the new mark. Our visible pride in the institution will certainly lead others to have even more respect for our law school.

In addition to this new mark, we have developed a new tag line. In developing this tag line, our goal was to select just a few words that would succinctly capture the mission and vision of the institution. We chose: Learn Law. Live Justice.

I believe these four words accurately communicate what we do and what we aspire to achieve. We are a community of students and scholars seeking to expand our understanding of the law. We aspire to use that knowledge in the service of others in order to build a more just world.

By now, you have seen the banners hanging in the atrium with the new mark and the new tag line. You should now also be able to purchase t-shirts and sweatshirts with the new mark from the SBA.

I encourage you to stop by the Admissions Office to see the new brochure that we have developed as part of this initiative. The brochure is very attractive and very creative.

The principal purpose of this marketing initiative is to enhance the law school's external reputation, both here in Cleveland and across the country. I am confident that, in time, we will achieve this objective.

The initial, immediate response has been a burst of pride within our law school community. I hope you share – and display – that pride. I do, and I will.

SBA President looks forward to Thanksgiving

Lindsay Wasko
SBA President's Column

It's more than halfway through the semester, and the only reason I know that is because the weather is gradually taking a turn for the worse. Just another reason for me to stay inside and "study."

October was a good month. The Dodgeball Tournament the SBA held in conjunction with the Black Law Student Association was a huge success. Our very own Treasurer, Kevin Marchaza, formed Team Cobra Kai to take the victory. Kevin, along with Brandon Pauley, Nick Mihalic, Mike Meyer, and Garrick Soja, battled to the end and defeated the 1L team, The Learned Hands, who claimed 2nd place. Very impressed with the shirts, boys. Due to the positive response, the SBA will host another Tournament in the spring semester.

The month ended with the SBA hosting its annual Halloween Social at Panini's on Oct. 30. I must say, law students are very creative when it comes to costumes. There was everything from the Flintstones (love my Executive board), to a spoof on Reno 911 cops, to individual costumes comprised of the lovely Mad Hatter and a freaky zombie. As one of the biggest events the SBA holds every year, we had a great turnout and appreciate all who attended.

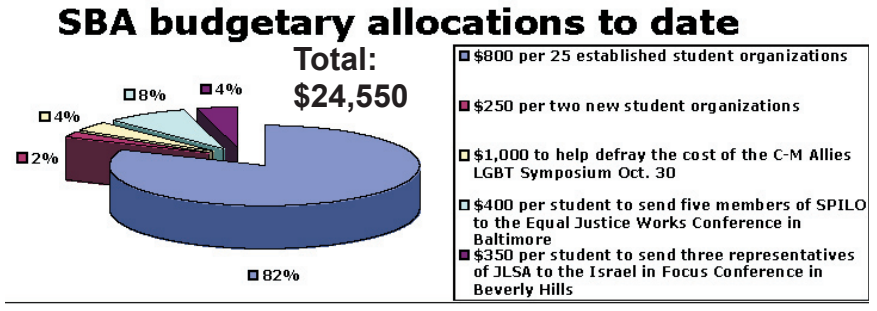
The SBA "Store" is moving along with the hopes it will be opened in the beginning part of November. The SBA will introduce merchandise bearing the new CM LAW logo. Some of the items available will include: t-shirts, sweatshirts, interview portfolios, water bottles, hats, and beanies. An apology if you do not know what a beanie is —apparently I am the only one who uses that word (thanks to my Pollock father whose "beanie" covers only the top of his head and not his ears).

Moving along. At the beginning of every year, the SBA holds a book sale giving students an opportunity to purchase books/supplements at a reduced price. This year we decided to take it to another level and hold a "Supp's-for-Bucks" sale. The gist: 2Ls and 3Ls have been asked to supply the SBA with supplements they used for their first year and upper level classes. The sale is open to all students. A percentage of the proceeds will be given to the students supplying the supplements, with the remainder to the SBA.

As a final note, myself, along with Editor of Law Review, Alana Jochum, have established a committee for the Class of 2010's Graduation Challenge. The central focus of the event is an appreciation of the arts. It is our intention to get students, faculty, staff, and alumni involved in this occasion. Who would not love to see Professor Borden sing a classical opera song? Or, although they do not know it yet, a Sesame Street gang comprised of Czar, Burke, Tony, John, Christopher, Derek and Ian dancing around while mocking Professor Gard's Torts class? Agreed?! Themed the "Rise of the Creative Class," we invite students with art/theater/music skills to join us in making this event one to remember.

I look forward to what lies ahead. For November, the SBA will focus its efforts on giving to those who are less fortunate. With Thanksgiving approaching fast, the SBA will hold a food drive the week of Nov. 16 to Nov. 20. Please place canned good donations in the Student Organization office. We will end the week volunteering at a soup kitchen to feed the homeless. Participation is encouraged.

I hope everyone has a great November and a relaxing holiday. Thanksgiving at the Wasko householdkeeps me going. After that, my meals will consist of raman noodles and cereal until finals are over.

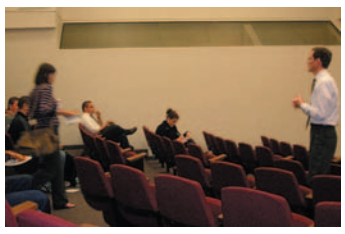


Students gather in open forum to discuss concerns with Dean

By Jason Csehi
Staff Writer

Law students have many concerns about their law school careers, but it is rare that they get a chance to speak with their dean about what's on their minds.

About a dozen Cleveland-Marshall law students gathered at lunchtime on Oct. 7 for one of two forums with Dean Mearns. The atmosphere was laid-back, something that the students might not expect when speaking with someone from the upper echelon of the law school's administration.



Dean Mearns answers a student question during a Dean's forum. *Photo by Jason Csehi.*

The dean started the dialogue by reporting on some recent developments at the law school. He said that the staff is currently working on expanding the availability of internships as well as improving job placement for students and graduates. Dean Mearns also commented that the administration is actively recruiting new faculty for the new Health Law and Policy Clinic.

Soon, the dialogue turned to increasing tuition. Addressing the topic with deft precision and authority, Dean Mearns said that an increase is "more than likely."

However, Dean Mearns said that it has been some time since there was a tuition hike at C-M, noting that there was no increase in either the 2007-08 or the 2008-09 school years or the beginning of the current school year. The dean also informed students that The University of Akron School of Law had a 6-percent increase in tuition, and that some law schools in the nation have increased their tuition by 20-percent, according to journals that he has read. Furthermore, he consoled students by reminding them that tuition at Cleveland-Marshall remains the lowest in the state.

The conversation turned lighter when Dean Mearns was asked about the public relations campaign currently being undertaken. When questioned as to why the law school would soon be using "CM Law" on recruitment literature and school apparel, he answered that it is a trend that many American law schools have been going with in recent years. "It's similar to seeing 'Duke Law' and 'Pitt Law,'" said Mearns. The dean emphasized that the school is establishing a name and image that is easily recognizable both inside and outside academia.

He informed students that signs and merchandise bearing the new moniker and new shades of green and white would be appearing at the law school in the coming days after the forum.

CM BRAND

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title, the Dean's intention is to have the logo become nationally recognized so when someone sees something bearing C|M|Law on it, they know that is stands for 'Cleveland-Marshall College of Law.' I think that it is a great idea and I am going to do everything I can to make Cleveland-Marshall recognizable with just the 5 letters. Plus, I personally think that the logo looks great and I love the colors," Wasko said.

Feedback about the new logo has been overwhelmingly positive. Prof. Heidi Gorovitz Robertson said, "The new logo and color scheme lends some consistency to C-M's many brochures and publications. They look like they go together—like they come from the same place. The colors stand out and catch the eye, so we hope they'll be memorable. I think they're pretty cool looking, too!"

3L Sarah Kovit thinks that the new logo helps C-M put its best foot forward. "Anything that can be done to raise the awareness and notoriety of C-M does a great service to the C-M community, both to raise the student spirit and to attract potential employers."

In addition to the new logo, the campaign has created a new motto: Learn Law. Live Justice. Look for this tag line and the new logo on banners in the law building and on merchandise available for purchase from the SBA. Dean Mearns and the SBA are collaborating on a new process of making this logo nationally recognized.

"The SBA is now purchasing all new merchandise with the C|M|Law logo branded on it," Wasko shared. "We will have t-shirts, sweatshirts, coffee mugs, water bottles, portfolios, daily planners, umbrellas and other items coming out as the year continues. Also in the cafeteria the SBA will be opening a store. The painting [with new colors] is almost complete."

the anonymous 1L

The second article in a six-part series tracking the experiences of an anonymous first-year law student.

If you're a 1L like me, you've probably found that fretting over midterms has become a new hobby, right up there with outlining and pretending to get things done. With this busy schedule and the onset of northeast Ohio's fall season, it seems like the days have gotten shorter. Those short days translate into a need for efficiency.

Everyone is trying to "work smarter" in different ways. Normally, I find discussing study habits to be gauche and self-congratulatory, not to mention totally boring, but this column isn't a discussion, so I'm going to let it fly. I for one have procured a nice set of outlines from past students. I've also been spending more time on CALI, Lexis, and Westlaw, and not just for the rewards points. The idea of pulling a brief lock, stock, and barrel off Lexis or West still doesn't sit right with me because I learn best by doing, so using those probably is not in my best interest. The CALI lessons are fantastic, though; while thankfully not as harsh as an exam question, just working through a set of questions is just that much more practice.

I've also seen study groups crop up in hordes. After every class, several groups of people drift off to study rooms in the library, restaurants, or coffeehouses to review and rehash material. While I am not a common participant, there are a few people with whom I form impromptu study groups.

Even the professors seem to be aiming for efficiency. All of my classes have picked up the pace. The question as to whether the stuff we have listed on the syllabus will get done today is almost always a resounding "yes." I also feel like the material has gotten a bit more complex. It's no longer just a simple topic with a couple exceptions; instead, it's an exception to an exception that puts what we were originally looking at into a totally different topic with its own set of lovely exceptions. However, this apparent increase in complexity may be a result of the faster pace. Either way, I'm not sinking too much energy into figuring that question out; I'd much rather try and stay caught up.

As this is my column, I'll take a moment to say something that I feel is very important for the whole first year class; take a minute to talk to someone about something other than the law and all that other good stuff that's been making us into efficiency fiends. No matter how many all-nighters any of us pull or how much effort we put into an outline, we're all still people. At the risk of sounding like an after-school special or belaboring the obvious, I advise blowing off an hour or so at least once a week to just hang out with people from your classes. Go for drinks, check out a movie, drive all the way to Mansfield Reformatory for the haunted house there—just do something that isn't law-related. It's easy to forget that we're not all just numbers on a curve sometimes, and midterms are doing nothing to combat that notion.

We are all looking for something to give us an advantage, some kind of boost or magic bullet that will make contracts simple and turn every gray area in torts black or white. That search takes time, and while I will agree that it is time well-spent, it's important to remember to loosen up, lighten up, and not take everything so deadly serious. Scrap the elaborate schedule and just hang out for a change. Soon enough, it'll be cold and nasty out, and then you can concentrate on all that school stuff.

What distinguishes Legal Writing from other types of academic writing?

Legal Writing Professor Karin Mika

THE LEGAL WRITING COLUMN

Legal Writing is a branch of technical writing that requires certain components to be placed in a certain order. It is a written representation of a logical, almost mathematical, computation that just happens to be written in words and not numbers. It is the written representation of the logical syllogism; thus, it is different from other forms of writing because if one portion is missing or out of order, or there is an extra part, it loses the logic necessary to form cogent and accurate legal analysis. Legal writing also relies on terms of art, and often seems to lack the stylistic fluidity of writing that might normally be done in an undergraduate setting.

Moreover, it is often not focused on unifying themes, such as explaining similarities between cases or even critiquing a series of cases. Rather, it is about extracting appropriate elements of precedent in order to explain the existing law in relation to a set of facts. This distinguishes it from typical essay writing, which is often focused on taking different elements and bringing them all together.

Although legal writing is much different than typical undergraduate essay writing, it does not stand alone as the only type of academic writing that is different than the type of essay writing that might be done in most Liberal Arts' classes. Mathematical and Scientific analysis each requires its own format and language in order for it to be accurate and appropriate for the discipline. Legal writing has a tendency to fool people into believing that it is similar to most forms of essay writing precisely because there is a recognizable narrative structure. However, there are still many differences between legal writing and the type of writing that most entering students are used to doing.

I have never believed that anyone with creativity has been penalized in becoming a good legal writer. Creative writers with logic and organization make the best "legal" writers. True, there are patterns to learn at the onset, but once those patterns are learned, the best writers are able to use their creative abilities to their advantage and develop their own style as legal writers. Good legal writing is not at all boring, and many students and attorneys have the ability to make a brief captivating by using many of the same devices that they used before law school. I have no doubt that judges appreciate that, so long as the actual legal arguments are ultimately credible.

I believe legal writing makes good writers even better. Prior to law school, most students are not subjected to a step-by-step analysis of every written word on the page. Most students come to law school as good writers, but cannot say for certain what makes a piece of writing good or not-so-good except in generalities such as, "Flows better," or "Seems to be clearer and more to the point."

Legal writing tends to give students the tools to be able to diagnose writing so they can point to specific items within a piece of writing that make the writing what it is. These tools are invaluable because they not only allow students to write documents that they can remedy on their own, but also eliminate any belief that the evaluation of writing is completely subjective.

Ask the Law Librarians: Answers to your questions

Library offers Thanksgiving hours and other services

By Sue Altmeyer & Jan Novak
LAW LIBRARIANS

What are the libraries' Thanksgiving hours?

Answer: The law library will be open on: Wed., Nov. 25 from 8 a.m. to 6 p.m.; Sat., Nov. 28 from 9 a.m. - 5 p.m.; and Sun., Nov. 29 from 10 a.m. - 8 p.m. The library will be closed on Thanksgiving and the day after.

What can the law library do for me besides give me a quiet place to study?

Answer: The librarians can help you select resources for research projects, suggest search terms and help put together a Lexis or Westlaw search. Here is a list of some library services and upcoming events, which can help build your research abilities:

Research Consultations

Need some help getting research done for your paper? You can stop in the library any time and ask for help with a research project. But, if you make an appointment in advance and let the librarians know your issues, the librarian can pull sources and come up with searches in advance. We can help you narrow down paper topics, provide a list of sources to use, and show you how to search databases.

Need to organize your research or create bibliographies?

Refworks helps collect and organize citations to articles, websites and books and creates bibliographies in Bluebook form. Ask a library staff member to show you how it works. Or, ask about a similar open-source program called Zotero.

Want to practice taking exams?

The library has an online database of past exams given by C-M professors. We also have study aids that contain sample exam questions and answers, essay and multiple choice. Ask a librarian or look at our Study Aids Guide .

Research 10K(nowledge) Race

The "Legal Research 10K(nowledge) Race" is a contest to build legal research skills. Each week, the library posts a research quiz and awards a prize to one of the successful answers. All correct answers for all weeks will be entered into a drawing for the grand prize drawing on Nov. 23. The grand prize is an Ipod Shuffle and goodies to help you get through fall semester finals.

Even though the contest started on Sept. 14, it's not too late to join. There will be questions for the weeks of Nov.2, Nov. 9 and Nov. 16. To sign up, sign in to Westlaw, select TWEN, and add the Research 10K(nowledge) Race course.

Research Certificate Seminars

Build your research skills by taking one-hour research classes, many with hands-on exercises. If you take four classes, you earn a Research Seminar Certificate. You can mention the certificate on your resume to let employers know that you took extra research classes. The last class for this semester will be held on Nov.10. They will be offered again in the Spring.

Have a question? Send it to research.services@law.csuohio.edu.Selected questions will appear in The Gavel's "Ask the Librarian" column.

PRESIDENT

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With strong leadership of its own, Cleveland-Marshall has kept a degree of separation from CSU's main campus. What level of management do you see yourself having over C-M?

President Berkman: I have to tell you, I feel a greater sense of connectedness, both visceral and literal, between C-M and CSU than between FIU and its law school. The law school's position maintains it as an essential part of the university along the Euclid corridor. FIU built their law school at a distant location, making it physically separate. Furthermore, C-M has five dual degree programs with other colleges at CSU, keeping it well connected with the main campus. Besides, a little bit of differentiation is OK since law school is a different animal.

Dean Mearns has to be given credit for producing significant change in the law school. My basic management motif is to allow a manager to have autonomous authority over his/her units. If they perform then they will be recognized. If they don't then we should find someone else to do it. I feel no need to micromanage. don't see myself involved in that. I expect the governance of a college to come out of the interaction of the faculty, students, and administration. I have a fundamental decentralized management strategy that we should drive the majority of decisions down to those that are closest to the ground."

ABOVE: President Berkman after his inauguration. *Courtesy of CSU.*

In researching your past successes, I see you focused on increasing bar passage rates at FIU's law school. C-M has been successful doing the same; even obtaining a percent passage into the ninties for first time takers. to what do you attribute your prior high bar passage rate success at FIU's law school and how do you think you could maintain this trend at C-M?

President Berkman: I credit FIU's good passage rates to an incredible latent demand for public law education. There was no public law school in all of south Florida. The closest one was Florida State University. Even FIU's first graduating class had good passage rates because when the demand is not met for a long time you can cull a very good quality pool. FIU had a large population base to pull from and no competition. The local private law schools were very costly.

Additionally, the Dean did a very good job at cultivating an intellectual hot house at the law school inspiring creativity, diversity, and a good think tank environment. This environment fostered the analytic skills needed to pass the bar without teaching to the test.

C-M and FIU share another goal of increasing diversity. FIU ranked highly among law schools for diversity by multiple reviewing entities. Assuming this is a continued goal, how would you continue this success to C-M?

President Berkman: Diversity was very easy thing to achieve in Miami. The metropolitan area is 75 to 80-percent diversity; 65-percent are Hispanic and

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ATTORNEY GENERAL

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Brown v. Legal Foundation, which upheld the use of lawyers' IOLTA accounts to fund legal services for the indigent. Understanding the legal questions at issue in Smith v. Spisak requires some detail about the facts involved.

Over the course of several months in 1982, Spisak carried out his own reign of terror in and around the CSU campus, killing three people and shooting but failing to kill two others. The dead included Rev. Horace Rickerson, CSU student Brian Warford and Timothy Sheehan, CSU's assistant superintendent for buildings and grounds. In July 1983, a Cuyahoga County jury found Spisak guilty of all charges and Judge James J. Sweeney sentenced him to death.

After a series of state court appeals, the Ohio Supreme Court upheld Spisak's sentence in 1988. Later direct federal appeals failed. In 1996, Congress passed the Anti-Terrorism and Effective Death Penalty Act (AEDPA), which tweaked the nature of federal petitions for writs of habeas corpus. The following year, the U.S. District Court for the Northern District of Ohio denied Spisak's habeas petition. A series of Sixth Circuit and Supreme Court proceedings followed.

ABOVE: Attorney General Richard Cordray before his lecture. *Photo by Scott Davidson.*

ABOVE: Frank Spisak during his 1983 trial. *Courtesy of cleveland.com.*

In 2007, the Supreme Curt remanded the case to the Sixth Circuit with instructions on how to properly administer AEDPA. Subsequently, the Circuit Court reached the same result and removed Spisak's death sentence. On February 23, the Supreme Court granted the State of Ohio's second petition for a writ of certiorari.

Cordray reported that the Supreme Court considered two issues during oral arguments. First, the Court considered whether trial Judge Sweeney erred by giving a particular jury instruction.

"In this case," Cordray said, "the jury was instructed that what you should do is weigh the aggravating circumstances against the mitigating factors and you should find unanimously that either it outweighs it, in which case you return the sentence of death; or you unanimously find that it does not outweigh it, in which case you return one of two life sentences. The argument (of Spisak's counsel) in this case was that this instruction violated Mills v. Maryland."

In Mills v. Maryland (1989), the U.S. Supreme Court ruled five-to-four that in the sentencing phase of a trial, each juror must give weight to any mitigating evidence that the juror feels is established in the case. Therefore, a judge's jury instructions go too far, and limit the jury's ability to weigh mitigating circumstances, where the instructions require that the jury unanimously find a particular mitigating circumstance prior to weighing it against aggravating circumstances.

"I don't think the jury instruction issue is hard," Cordray said, "because (AEDPA) tells federal courts you should not give relief in habeas proceedings in criminal cases unless you can find that the state courts either decided an issue contrary to clearly established law at the time, or that they unreasonably applied clearly established law at the time. On this issue they clearly established law in Mills v. Maryland. There was not a lot of time spent on this issue at the argument. The court seemed to be content with how this issue was briefed."

The second, and more discussed, issue the Court considered was whether defense counsel's conduct had gone so far in discrediting his own client that it was in fact ineffective assistance of counsel under the Sixth Amendment. Analysis of this issue proceeds under Strickland v. Washington (1984), which set the framework for ineffective assistance of counsel claims.

Cordray noted that during closing arguments, the late Thomas Shaughnessy, Spisak's trial counsel, went into great detail about the severity of Spisak's crimes. "He was quite, I suppose what the other side of the case would say, overstated." Cordray said, somewhat wryly. "He did what lawyers often do: if they sense that the jury is not persuaded that this client is innocent—which (Spisak) clearly was not here—and they sense that the jury is impressed with the horrific nature of the crimes, they themselves—instead of shying away from that and pretending that it doesn't exist—try to take the sting out by showing the jury that they themselves appreciate how the jury must feel."

Cordray mentioned that Justices Ruth Bader Ginsburg, Sonia Sotomayor, Kennedy, and Samuel Alito were concerned that Shaughnessy had, in effect, given up on his client. Alito went so far as to question Cordray whether he had ever seen a defense summation as derogatory of his own client as this case. To Cordray's relief, Justice Antonin Scalia characterized the defense summations argument as "brilliant."

"Obviously any amount of time spent wallowing in the details of (Shaughnessy's) presentation was not particularly helpful to me," Cordray said. "I needed to explain that away and then move to other things. Overall, we spent 30 minutes going through just some of the worst passages plucked out of context in his presentation."

The Attorney General shared that he was confident in his argument supporting the adequacy of defense counsel Shaughnessy's overall trial performance. Cordray asserted that a thorough reading of the trial transcript clarifies what Shaughnessy tried to do. Attorney General Cordray suggested that though Shaughnessy may not have executed his closing argument tactics "beautifully," he still carried-out a reasonable, tactical approach.

Cordray recalled the difficulty Spisak's courtroom behavior presented his defense counsel. Contemporary press coverage of the trial reported that Spisak never displayed remorse for his crimes, professed "neo-Nazi" beliefs, carried a copy of Adolf Hitler's "Mein Kampf," and gave jurors a "Heil Hitler" salute.

"It's a coherent strategy that (Shaughnessy) attempted to effectuate in this case and it's not easy to see what he would have done differently that would

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SHEEHAN

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his mother eagerly waited for Timothy's arrival, because he was supposed to take the family out to dinner for Brendan's birthday. But Timothy Sheehan never made it home that night. Earlier that day, he had been found dead in a men's bathroom on the Cleveland State campus, shot four times in an apparent robbery-homicide. Just 50 years old, Timothy Sheehan left behind his wife and four children.

Police arrested Frank Spisak and charged him with the murders of Timothy Sheehan, Rev. Horace Rickerson, and student Brian Warford. Spisak also faced charges for wounding a fourth person and shooting at a fifth. The accused serial killer was a self-proclaimed neo-Nazi tormented by his desire to become a woman.

The resulting trial devolved into one of the most bizarre incidents in Cleveland legal history and forever linked Spisak, Donald Nugent and Brendan Sheehan. Over four weeks in summer 1983, the trial became a public spectacle. Throughout the proceedings, Spisak donned an Adolf Hitler-style mustache and carried a copy of Hitler's book "Mein Kampf."

Then-assistant prosecutor Nugent handled the case, which resulted in a death sentence for Spisak. Nugent is now a federal Judge for the Northern District of Ohio. The trial inspired Sheehan to pursue a legal career. He volunteered for Nugent's campaign for common pleas court judge in 1984 and later enrolled as an evening student at C-M. Nugent continued to mentor Sheehan, and employed him as bailiff during Sheehan's law school career. Sheehan graduated from C-M in 1993 and passed the bar the following year.

After President Bill Clinton appointed Nugent to the federal bench in 1995, the judge chose Sheehan as his law clerk. Four years later, Sheehan became an assistant county prosecutor. He continued in that role until his election as judge last year. When the United States Supreme Court announces its opinion in Smith v. Spisak, Sheehan and his family may finally find closure. Regardless of how the Court rules, Brendan Sheehan's life after his father's murder has served as proof that great things can arise from the most difficult of circumstances.

PRESIDENT

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15-percent African American. I had the luxury of the university already being fully diverse. At CSU, however, we have to encourage it. There is a way to go yet. Last year's data showed an increase in minority enrollment by 20-percent and overall enrollment increased by 25-percent. Those are some positive results of CSU's efforts. The overall minority demographic of C-M is similar to demographics of main campus CSU: 15-16-percent minority population for C-M and 22-percent CSU main campus.

I would like to develop more effective pipelines to reach the undergraduate population, encouraging them to head to C-M. I would like programs that help minorities prepare for the LSAT. C-M is seen as a school that is comfortable to minorities which helps attract other minorities. C-M should use their reputation to recruit more nationally.

The National Jurist ranked FIU's law school at eighth for best value. For most C-M students, value in tuition was a large component of their decision to attend. How was FIU able to keep tuition low and quality of education high? In response to a recent announcement that our tuition is increasing spring semester, what plan do you have for migrating this situation to C-M?

President Berkman: Tuition was low because Florida has the second most affordable tuition in the country. The legislature controls tuition and it was their priority to keep it low. I've seen a cycle that begins with higher education getting beaten up with tuition hikes, then once in a while there is a mini-renaissance and period of rectification in which improving education quality and reducing costs once again become a priority for politicians. We are going through a correcting period here.

Our tuition increase for spring semester is 3.5-percent. We had authority to increase 3.5-percent for fall but chose to forego it until Spring Semester. We felt it was too late to ask students to come up with it at the last minute. We passed up $3.5 to $4 million in revenue by not increasing tuition this fall. I feel 3.5-percent is a modest increase.

We operate on a biennium budget and moved the increase to the second year of the biennium. The legislature gave us a 3.5-percent cut in our budget by reducing the state share of instruction (SSI). The total price of our education is determined by SSI added to our contribution in the form of tuition we pay the university. When our SSI was reduced by 3.5-percent, we had to increase tuition by that much to net a zero difference. At the end of spring we need to decide on any needed increases for next year.

Cuyahoga county reform Issues 5 and 6, examined

By Kevin Kovach
EDITOR-IN-CHIEF

Unless you have lived out of the region or under a rock for the past year, you are aware of the ongoing federal probe into corruption throughout Cuyahoga County government. Legitimized public distrust of county government officials led to a proposed county charter, which has become county Issue 6.

> "I support Issue 6. Three (county commissioners) are not enough to decide the fate of such a diverse population. Having 11 council members allows more voices to be heard. Having one executive means that someone can be held to blame. There can be no more buck passing."
> **Lindsey Wilber**
> **The Liberal Columnist**
>
> "Removing from the voters the power to elect the sheriff, coroner, recorder, and other offices is not reform. At best, it's rearranging deck chairs on the Titanic. At worst, it's a power grab further removing government from voter accountability."
> **Matt Brakey**
> **The Libertarian Contrarian**

After Issue 6 supporters collected enough petition signatures to qualify for the ballot, Cuyahoga County Commissioners Peter Lawson Jones and Tim Hagan placed on the ballot Issue 5, a proposed 15-person county charter review commission. Proponents of each measure have routinely hurled accusations against one another ever since.

Voters may feel just as confused about the competing measures now as ever before. The following is a brief analysis of each county "reform" issue.

What has become the county charter that Issue 6 proposes emerged from a coalition of various interests who have for decades pushed to restructure county government. Issue 6 counts among its supporters various business interests, government reform advocates, Republican leaders, some Democratic leaders, The Plain Dealer, the League of Women Voters, and the Greater Cleveland Partnership. Support for Issue 5 consists primarily of the county Democratic Party establishment, the African American community, and labor leaders.

The proposed Issue 6 charter would create a single elected county executive and an elected 11-member county council. Among other non-judicial county officials, voters would elect only the prosecutor. The executive would appoint all other county officials, including the currently-elected sheriff, clerk of courts, and coroner. Existing offices of county recorder, auditor, and treasurer would consolidate into two appointed offices of county fiscal officer and county treasurer. The county executive would also appoint a director of public works and a director of law. A proposed first-ever consolidated human resources commission is perhaps the most significant charter provision to draw little opposition.

Under Article II of the Issue 6 charter, the county executive would serve a four-year term and earn $175,000 per year. The executive would have the power to appoint, suspend, discipline, and remove all county personnel, except for those appointed by the elected county council or elected prosecutor. Article III of the proposed charter provides that the 11 members of county council would earn $45,000 per year for part time work and would serve four-year terms, with one caveat. To provide for stability, the proposed charter provides that the five even-numbered council districts would initially elect representatives to two-year terms. Consequently, even-numbered districts would again be up for election in 2012 and odd-numbered districts would be up in 2014.

According to ongoing analysis by The Plain Dealer, county council district boundaries make it likely that three of the 11 districts would have Republican representatives. Democrats currently hold all elected non-judicial county offices. The county council would need the support of at least eight members to investigate any county official, including the executive.

Issue 5 would create a 15-member charter review commission to study county reform, conduct public hearings on proposed governmental restructuring, and draft a proposed county charter for submission to voters next November. People who vote for Issue 5 will also choose up to 15 charter review commission members from a 29-person ballot of unaffiliated candidates.

The charter review commission ballot contains two slates of candidates. One slate, which calls itself "Real Reform Done Right," is a network of Democratic Party and labor leaders. "Real Reform Done Right" only has 14 candidates because one person withdrew. The

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Mayor Jackson touts fiscal record, Patmon challenges visible leadership

ABOVE: Mayor Frank Jackson and challenger Bill Patmon joke during a recent debate. *Courtesy of the Plain Dealer.*

By Joe Fell
STAFF WRITER

Election Day is Tues., Nov. 3, and the Cleveland mayoral race is one of the biggest races on the ballot. Mayor Frank Jackson, a C-M alumnus, is up for re-election against Bill Patmon, a former member of Cleveland City Council. In the Sept. 8 primary election, Jackson obtained 72-percent of the vote. Patmon trailed in distant second with 11-percent, and barely edged-out Robert Kilo, a political newcomer, by just 425 votes. Fewer than 11-percent of eligible voters in Cleveland cast primary ballots.

Elected in 2005, Mayor Frank Jackson has favored down-to-earth governance. This style has not prevented him from achieving several important accomplishments during his first term.

According to his campaign website, Jackson successfully balanced the city's budget without laying off any employees, a feat that other big city mayors failed to achieve. During his tenure, Jackson has also overseen neighborhood development projects like the Euclid Corridor project.

The Mayor also touts reductions in violent crime in 2007 and 2008. Throughout his campaign, Jackson has stated that he would like to build a "green economy" in Cleveland and focus on economic development. Additionally, Jackson has stated that he would like to expand the city's recycling program.

Those who vote and root for the underdog may cast a ballot for Patmon. Longtime Political observers remember the challenger from his 12 years on City Council. During his three terms, Patmon served as Chairman of the Council Finance Committee and gained a reputation as a "watchdog" concerned about financial mismanagement. Patmon made a previous unsuccessful bid for the mayoralty in 2005. More recently, he has served as a political analyst for WKYC and as chairman of East Erie Enterprise LLC.

Patmon has raised less money and trails Jackson in the polls by a significant margin. Much of Patmon's campaign has focused on the importance of making Cleveland an attractive place for business expansion. He has criticized Jackson for failing to dissuade Eaton Corporation—a Fortune 500 company—from moving its headquarters to the nearby suburb of Beachwood. Patmon has also proposed to break the Cleveland Metropolitan School District into a few small districts for easier management.

Both Jackson and Patmon have conducted positive campaigns, focused on the issues and the state of the city. That differs greatly from 2005, when candidates attacked then-Mayor Jane Campbell forcefully.

Election law discussion brings together political opponents

By Jason Csehi
STAFF WRITER

It's not often that groups from both sides of the political aisle come together. But that's what happened when Don McTigue, an election law attorney, spoke in the Cleveland-Marshall Moot Court Room on the evening of Oct. 8.

The event was co-sponsored by the C-M Democratic Law Organization, the C-M Republicans, the Democratic Lawyers Group, the Cuyahoga County Young Republicans, the C-M Federalist Society, and the C-M American Constitution Society. After opening remarks by Prof. Chris Sagers, McTigue began his presentation.

While the speaker has done work for the Democratic Party in Ohio, the insight he offered on a bevy of topics kept the attendees' attention. He commenced by commenting that election law starts with a theoretical framework and that legal standards can be confusing. In sum, McTigue said that for a standard of review, a strict construction interpretation is required.

He also told the audience that every election law is about limiting rights,

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Voting on Issue 3: is it a gamble?
The Cleveland casino conundrum

By Matthew Hebebrand
Contributor

We've all seen the commercials by now: "Add 34,000 new jobs by voting on issue 3"; "Issue 3 will actually cause Ohio to lose jobs." Many Ohioans are scratching their heads right now trying to determine which side is right and how their vote on Issue 3 will affect the state's economy.

It seems that every other year Ohioans are voting on whether to allow gambling in the state. But in bad economic times with 258,100 jobs lost in the past year and unemployment at 10.1-percent last month, plus a nearly $900 million deficit in the state's budget, the stakes this year are higher. After the Ohio Supreme Court struck down a plan to allow lottery terminals in Ohio racetracks, Ohio's gambling proponents are putting all their efforts into ensuring Issue 3 passes, while many in Columbus are hoping the revenue from four potential casinos in the state will fill up the state government's dry coffers.

The facts of the constitutional amendment Issue 3 proposes are defined in the table (right). While what Issue 3 will do is pretty easy to understand; the repercussions of its passage are much more difficult to predict.

ISSUE 3:

- Authorizes the construction of four casinos—one each in Cleveland, Columbus, Cincinnati, and Toledo
- Creates a seven-member Ohio Casino Control Commission, appointed by the governor and approved by the state senate, to regulate casinos
- Divides 33-percent gross tax revenue among all 88 Ohio counties and all Ohio school districts, with small amounts going to casino host cities, the created Ohio Casino Control Commission, the Ohio State Racing Commission, state law enforcement, and a state problem gambling and addiction fund
- Sets licensing fees for casino operators at $50 million each
- Requires proposed casino owners to contribute $250 million each

Proponents of Issue 3 claim that 34,000 new jobs will be created, and cite the $200 million the state will get in licensing fees and $1 billion in private investment. They estimate $651 million in tax revenue.

Issue 3's proponents argue that if casinos aren't built here, people will spend their money gambling in other states. A study done by the Innovation Group concluded that Ohioans took 17.8 million trips to other states to gamble about $1 billion of Ohio money. They predict that if Issue 3 does not pass the number of trips will rise to 18.8 million with $1.5 billion spent out of state by 2013.

Opponents of Issue 3 find several flaws with its proponents' arguments. They point to language in the amendment that does not require all four casinos to be built or set up a timetable for starting or completing construction. Some analysts have hypothesized that only two casinos will begin construction in the immediate future, including the one in Cleveland, contributing only half of the estimated job growth and state revenue.

The most common criticism of Issue 3 is that many of the jobs will go to specially-trained out-of-staters while the jobs that may go to Ohioans will be low-paid, low-skill level employment.

Another common argument is the harm gambling eventually causes to all communities, and ultimately to the state. Citing statistics from other state after they introduced casinos, particularly Michigan after introducing casinos in Detroit, gambling opponents show how foreclosures and bankruptcies may increase throughout the state while crime will rise in the individual cities hosting the casinos.They also contend that introducing casinos in Ohio will result in a net loss of state revenue, as the growing amount of money spent on social services will negate the taxes drawn in from the casinos.

Another argument against Issue 3 is the lack of competitive bidding involved in the generation of these casinos. The 33-percent tax will be the lowest on casinos in the country, compared to 55-percent in Pennsylvania, which used a competitive bidding process, and the highest being 71-percent in Rhode Island. Some on the left are joining the opponents of Issue 3 on the right, deriding the ballot initiative amendment process being used by wealthy businesses to change our constitution to maximize their own profits. They worry about the precedent this might set for the future of Ohio's constitution. They claim that Issue 3 represents a "sweetheart deal" that will only benefit its principle backers, Penn National Gaming, Inc. and Dan Gilbert, Cavs owner and Quicken Loans founder and chairman.

The Libertarian Contrarian
Canary in the gold mine:
End of the fiat dollar-reserve system?

By Matt Brakey
Columnist

A recently as 1971, $35 was redeemable for an ounce of gold. Last month, the price of the yellow metal reached a record high of over $1,070. That is a staggering 30-fold increase over a 40-year span. What is gold telling us?

Early in the Nixon administration, due to excessive spending on guns and butter during the Vietnam War and Great Society, the United States began inflating the monetary base in order to meet its ever-increasing financial obligations. At the time, the western world was under the Bretton Woods monetary system—the last vestige of an international gold standard. While their own currencies were not backed by gold, participating foreign countries pegged their currencies to the U.S. dollar at fixed exchange rates, and could redeem their dollar reserves for gold.

Sensing inflation, foreign central banks began exchanging their dollar reserves for gold, resulting in a de facto run on U.S. gold stockpiles. Rather than allow U.S. gold reserves to be stripped bare, President Nixon closed the gold window in 1971, effectively defaulting on U.S. obligations under the Bretton Woods system. This subjugated the world into a new monetary regime in which we've been ever since. Although the U.S. dollar continues to serve as the world reserve currency, it no longer has any backing of intrinsic value; its value is derived solely from government fiat and therefore can be created in infinite quantities and denominations.

Particularly, in a fiat currency system, it is critical to define what inflation is and is not. Most modern economists define inflation as a sustained increase in the general price level. This definition is deceptive and misdirects. It is analogous to diagnosing a disease as the symptoms, rather than as the infection by an underlying pathogen.

Other economists define inflation as an artificial expansion in the supply of money and credit. Crudely speaking, inflation is money printing; this is our pathogen. As Milton Friedman said, "Inflation is always and everywhere a monetary phenomenon."

After an inflationary event, prices may rise, fall, or remain unchanged for a litany of reasons, just as a diseased person experiences an incubation period before exhibiting symptoms. Eventually though, the symptoms of inflation will manifest themselves. Inflation warps markets and price signals, causing asset bubbles, malinvestment, and destructive boom-bust cycles. In many cases, it has ended in currency destruction.

Increasing the supply of money neither creates nor destroys wealth, but rather clandestinely redistributes it. As is true with any counterfeiter, the inflationist experiences a wealth accession while the net wealth of society remains unchanged. As economist John Maynard Keynes explained, "By a continuing process of inflation, government can confiscate, secretly and unobserved, an important part of the wealth of their citizens."

Without the constraint of a gold standard, from the mid-80s until early 2008, the Federal Reserve slowly but steadily quintupled the monetary base. This significant but relatively constrained inflation was shockingly departed from when the U.S. entered the economic crisis last fall. Over the span of a few weeks, the Fed doubled the monetary base to bail out the banking system. Where it sat at just over $800 billion in early 2008, the adjusted monetary base now sits high atop $1,800 billion!

This new money has temporarily papered over the insolvency of the banking system. However, the ability for the Federal Reserve to withdraw this massive amount of liquidity is a virtual impossibility without reigniting the collapse that preceded it. This is the catch-22 the Federal Reserve faces. The appearance that the worst of the financial crisis is behind us is an illusory byproduct of unprecedented inflation.

When this tsunami of new money makes its way off bank balance sheets and into the larger financial system, this country will be in the grips of an inflationary pandemic difficult to fathom. As Austrian School economist Ludwig von Mises plainly stated, "Continued inflation inevitably leads to catastrophe."

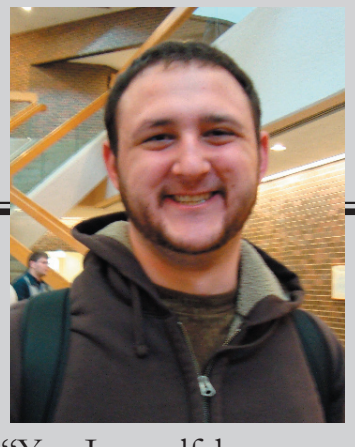
The inflation that produced the run on US gold in 1971 signaled the end of the Bretton Woods monetary system. The inflation that has produced gold's record price run is signaling the end of the existing fiat dollar-reserve monetary system. The canary in the gold mine is dead. We are on notice.

STUDENT VOICES

DO YOU SUPPORT ISSUE 3, WHICH WOULD PLACE CASINOS IN OHIO'S FOUR LARGEST CITIES, INCLUDING A LOCATION BEHIND TOWER CITY IN DOWNTOWN CLEVELAND?

photos & quotes from Maryanne Fremion
Contributor

"I think the proposal offered in the Senate, which proposed a county-by-county vote on gambling and the establishment of a state gaming commission sounds more reasonable than a constitutional amendment authored by a special interest group."
David Eagan, 3LE



"Yes. I myself have even left Ohio to gamble. I imagine other people leave the state to gamble."
Jeff Anthony, 1L

"I'm not opposed to gambling in Ohio provided it's done properly. The argument that it will detract from local business is flawed."
Neil Mcgowan, JD/MBA

POLITICAL BROADSIDE

THE FORUM FOR DEBATING THE HOT-BUTTON ISSUES OF THE DAY

Issue 2: War in Afghanistan

A Liberal Argument

By Lindsey Wilber
Liberal Columnist

Almost immediately upon taking office, President Obama sent 21,000 additional combat troops to Afghanistan, bringing total deployment to 68,000 American soldiers. Full deployment of these new troops is expected to occur early this month. In response the up-tick in troops, our NATO allies have pledged to send more support troops and financial aid to both Afghanistan and Pakistan.

However, despite the fact that there are now more American troops in Afghanistan than any time during the past eight years, Gen. Stanley McChrystal has requested an additional 40,000, for a surge-like strategy. While President Obama has taken this request under advisement, he is using this time to reshape the policy for the war. Any increase in the troop levels without a more clearly defined strategy - one with clearly defined objectives - would be a return to the imprudent policies of the Bush era.

The President is correct to take his time on this decision. The execution of a successful war effort is difficult under the most prosaic of conditions, but the war in Afghanistan is unlike any other we have fought. Before President Obama decides to send more troops, he must have a plan is in place to ensure them the best chance of success. For a successful strategy to take shape, we first have to resolve several factors.

The President should wait until the results of the November 7 run-off election are certified. The Independent Electoral Commission found overwhelming evidence of election fraud by supporters of President Hamid Karzi in the August 20 presidential elections. This has dropped his percentage of the vote below 50-percent and triggered a run-off between Karzai and his closest competitor, Foreign Minister Abdullah Abdullah. Abdullah poses a serious threat to Karzi, as he has pledged to root-out corruption and fraud at the highest levels of government.

No matter who wins the election, it is imperative that the Afghani people view the government as legitimate. There are many in Afghanistan who still support Karzi, and view the invalidation of the election results as western attempts to cherry pick a more 'friendly" leader. If a decision is made to send 40,000 additional troops to a nation where enough of the population views the government as a puppet of the west, any hope for success will be lost.

Second, a village-by-village surge by American forces simply will not work in Afghanistan the same way it did in Iraq. There are just too many cultural differences. The best way to execute a surge strategy is to send well-trained Afghani security forces in to the villages. Any additional American troops should be sent to the porous border region. As Afghani forces chase Taliban leaders out of the villages, the additional troops will seal the border, preventing them from reaching a safe haven in Pakistan. Furthermore, focusing troops on border will allow us to assist the Pakistanis in their attempts to eradicate Taliban and Al Quada strongholds.

Finally, there must be a plan to end narco-terrorism. Any strategy to weaken the Taliban must include a plan to dry its funding source. Heroin production from Afghanistan's prodigious poppy fields accounts for 60-percent of the Afghanistan economy. The Taliban makes up to $100 million a year off heroin sales, which it uses to fuel terrorism in the region. But the destruction of the poppy fields is not enough; we must assist Afghani farmers in developing profitable crops.

These are just a few of the many factors that must be addressed in the decision to send more troops to Afghanistan. This is a critical time in the war. In order to have any success going forward, there must be a clear plan to eradicate the Taliban, ensure a stable, legitimate government in the eyes of the Afghani people, and stabilize the region on the whole. Such plans are not, nor should they be, decided in haste in an effort to pacify reactionaries. A successful strategy can come only after careful and intelligent refection and deliberation. This is exactly what the President is taking the time to do right now.

A Conservative Argument

By Mike Borowski
Conservative Columnist

President Obama has been busy over the last two months. He has made an appearance on David Letterman, traveled to Denmark to charm the International Olympic Committee, rubbed elbows with Oprah, dined with J-Lo, played some golf, drank a beer with some new friends, and even won the Nobel Peace Prize. He was so busy, in fact, that the one thing he forgot to do was send Gen. Stanley McChrystal the additional 40,000 troops he requested back in August to conduct a surge operation in Afghanistan. Not a very smart move, considering that Obama referred to the war in Afghanistan as a "war of necessity" countless times during his presidential campaign. Maybe he got so caught up in the high life that he forgot about the whole Commander-in-Chief thing that the founding fathers put in the Constitution.

President Obama's indecisiveness has caused the war in Afghanistan to grind to a halt. I'm not surprised. Obama's indecision is a direct result of his inexperience. Come on, it's not like anybody actually believed all that malarkey about how working as a community organizer translates into executive experience. We all should have expected something like this to happen.

Now, as a true sign of his inexperience, Obama is forgoing the expertise of the Defense Department and his generals. He has instead decided to let his political advisors in the White House hijack the Afghanistan issue and allow public opinion and the polls dictate what measures he should take. You can't expect to win a war that is based on public opinion. President Obama should pay attention to the message that he is sending to the rest of the world. His indecision is not only emboldening the enemy to keep its resistance going, but he is also sending a message to our allies that we are not totally committed to winning this war.

Without American leadership, the rest of the world will let this cause fall to the wayside. Allies are already beginning to withdraw from the fight. Japan is pulling two naval ships out of the Indian Ocean that have been used as refueling stops for troops en-route to Afghanistan, Britain has said it will only deploy 500 more troops, under the condition that NATO and the Afghan government must first start to do more against the Taliban. France – in typical fashion – will not send anymore troops.

While Obama has been dithering around for the last two months, the U.S. military has become increasingly frustrated with his indecisiveness. Now the talk is that he wants to wait until the results of the election runoff are completed before committing more troops to the region. What the President fails to realize is that U.S. military strategy is not dependent on who leads Afghanistan. Regardless of the results, the Afghan government will continue to be weak and corrupt. We are at war with the Taliban and Al Qaeda terrorists in the region, and while a strong, corruption-free Afghan government would be a welcomed ally, it is not a necessity.

It is absurd for the President to wait until the run-off is complete to make a decision. Obama's indecision is allowing the enemy to strengthen its hold in the area. I guarantee that the Taliban isn't waiting for the run-off results before they stage another attack on our troops. Ultimately, the price of Obama's indecision will be paid for in American blood.

The President should not delay any longer and send McChrystal the additional troops that he has requested. The troop surge in Iraq under President Bush was an undeniable success that helped to stabilize the region. He should implement a similar tactic in an attempt to place the war effort on a firmer foundation.

Gen. George S. Patton once said that the most important quality in a good leader is the willingness to make decisions. Thus far, President Obama seems to be content to just sit on his hands and wait to see how things play out. In a war, there is no place for indecision and inexperience. President Obama needs to realize this before more American lives are lost due to his indecisive leadership.

Conservative Rebuttal

Waiting until the results of the November 7 run off election are certified is not necessary. As I have pointed-out, U.S. military strategy is not dependent on who wins the election. Regardless of the results, nearly 50-percent of the population will view the government as illegitimate and accuse the U.S. of cherry picking a friendly leader. This means that there will be no significant change whatsoever with respect to the support U.S. military operations in the region receive from the Afghan populace.

Shifting U.S. military strategy from a counterinsurgency to a counterterrorist strategy as recommended by Vice President Joe Biden would be foolish. After taking the time to develop a comprehensive assessment of the situation in Afghanistan, the Defense Department determined that a surge of 40,000 additional soldiers would be the most effective way to win the war against the Taliban in Afghanistan. Biden probably read a lot of books about military strategy during his five student draft deferments in the 60s, but I think that the president should listen to the experts at the Defense Department instead.

The only reason the Obama administration has failed to make a decision is because they are scared that making the correct decision and sending Gen. McChrystal the troops he requested will have a negative impact upon the support from the left in the upcoming November elections. Once again, we see that the Obama administration is all about politics and not about what is right for the security of America and our troops.

Let the record show that I wrote "dithering" in my column before Dick Cheney publicly used the term.

Liberal Rebuttal

My esteemed Republican college seems to forget the amount of vacation time our last President took while waging not one, but two wars. One of which was a 'war of choice' that siphoned off resources from Afghanistan, and is the reason we have gone eight years without a winning game plan. But hey, he was the decider. President Bush's ability to make a decision regarding the most nuanced of issues in the time it takes most of us to pick paper or plastic has left most conservative believing that deliberation is a sign of weakness.

Making the choice to send more troops to a war zone should be one of most difficult decisions ever made by a Commander in Chief. It should be given careful consideration, time should be taken for solemn refection, and more troops should not be sent without a clear strategy for success. Some people, including Mike Borowski and Dick Cheney, may call this dithering. Others call it what it is, taking responsibility for the lives of the men and women of the American military.

An influx of troops sent into the villages and tribes of an area that is already wary of the west, without an understanding of the vast cultural differences, will not work. While more troops may be needed one day, sending them now for a surge now because it worked before, in a different war in a different country, just to please one general, would be a mistake.

Hall-LAW-ween SOCIAL *at Panini's*

SBA hosted one of its most well-attended events of the year, the Halloween social in downtown Cleveland, on Friday, Oct. 30. There, party-goers met Balloon Boy, Lady Gaga, "the Hot Cops," The Flintstones, Fidel Castro, Captain Planet, a younger Professor Borden, and many more.

Photos by Susanna Ratsavong

41st Annual

MOOT COURT NIGHT

Appellate Advocacy Seminar and Alumni Recognition - 1.5 free CLE

Thursday, November 12th at 6:00pm

Moot Court Room, Cleveland-Marshall College of Law

The Distinguished Judges

The Honorable Christopher Boyko
United States District Judge, Northern District of Ohio

The Honorable Maureen O'Connor
Justice, Supreme Court of Ohio

The Honorable James Orenstein
United States Magistrate Judge, Eastern District of New York

Counsel for Petitioner
Chelsea Mikula
Chris St. Marie
David Sporar
Mentored by Jones Day

Counsel for Respondent
Julia Leo
Allen Tittle
Andrew Yarger
Mentored by Baker Hostetler

Reception Following

Presented by Cleveland-Marshall College of Law
Moot Court Board of Governors
David D. Thomas, Chairman

SUPREME BAR REVIEW

UPCOMING STUDENT EVENTS

THE GAVEL ASKS STUDENT LEADERS TO TELL US ABOUT THEIR UPCOMING EVENTS

DATE	ORG.	EVENT DESCRIPTION	PLACE	TIME	CONTACT
11/2/09	BLSA	Outlining for Success	TBA	5:00 p.m.	Aja Brooks, BLSA President, abrooks@law.csuohio.edu
11/3/09	SBA	Deadline to sign up for graduation photos in the Law Library November 11	Cafeteria and Student Organization Room	Look for SBA Senators	Luisa Taddeo, SBA Vice President of Programming, LTaddeo@law.csuohio.edu
11/4/09	Criminal Law Society	General Body Meeting	TBA	4:30 p.m.	Scott Forsman, sforsman@law.csuohio.edu
11/5/09	ILSA, HLSA, and APILSA	International Food Fair	Cafeteria	10:00 a.m. to 5:00 p.m.	Christine Rocco. HLSA Vice President, crocco@law.csuohio.edu
11/11/09	SBA	Ripcho Studies will be in the Law Library to take graduation photos for all graduating students who signed-up November 3	Law Library, room TBA	Between 10:00 a.m. and 1:00 p.m., and between 2:00 p.m. and 8:00 p.m.	Luisa Taddeo, SBA Vice President of Programming, LTaddeo@law.csuohio.edu
11/11/09	WLSA	General Body Meeting and "Cover Letter and Writing Sample Do's and Don'ts," expert advice from Cooper & Walinski attorneys; lunch provided	LB 201	12:15 p.m.	RSVP to wkowalczyk@law.csuohio.edu
11/11/09	BLSA	Writing for Success	LB 202	5:00 p.m.	Aja Brooks, BLSA President, abrooks@law.csuohio.edu
11/13/09	BLSA	General Body Meeting	LB 208	5:00 p.m.	Aja Brooks, BLSA President, abrooks@law.csuohio.edu
11/13/09	WLSA	Art After Hours Night: networking, live music, and beverages; free for WLSA members and $10 for non-members	Cleveland Museum of Art	8:30 p.m.	RSVP to sunny.nixon@law.csuohio.edu
11/14/09	BLSA	Manna from Heaven: Feed the Homeless	TBA	12:00 p.m. to 4:00 p.m.	Aja Brooks, BLSA President, abrooks@law.csuohio.edu
11/16/09 to 11/20/09	SBA	Food Drive	Student Organization Room	all week	Lindsay Wasko, SBA President, LWasko@law.csuohio.edu
11/16/09 to 11/20/09	BLSA	Coat and Mittens Drive for the Men's and Women's Shelter	TBA	all week	Aja Brooks, BLSA President, abrooks@law.csuohio.edu
11/18/09	SIPLA	Chris Coburn, leader of all Intellectual Property dealings at the Cleveland Clinic	Moot Court Room	5:00 p.m.	John Stryker, SIPLA President, jstryker@law.csuohio.edu
11/18/09	BLSA	1L Concerns Committee meeting	TBA	TBA	Aja Brooks, BLSA President, abrooks@law.csuohio.edu
11/21/09	SBA	Soup kitchen volunteer opportunity	TBA	TBA	Lindsay Wasko, SBA President, LWasko@law.csuohio.edu

Did we miss something? Be sure to contact us at gavel@law.csuohio.edu.

WLSA Silent Auction attracts high bidders,

Proceeds benefit memorial scholarship fund

Nicole Lester, President of the Women Law Students Association, offers a bid to William Norman, 2L. The Annual WLSA Silent Auction lasted for three days and had hot ticket items this year, such as Cleveland Cavalier tickets, various Cleveland Browns tickets and favors, opening night tickets to see Broadway show *Mamma Mia*, dinner with the Dean and other professors as well as a vintage photograph of the Warren Court. The fundraiser supports WLSA's Tammy Burkhardt scholarship. *Photo by Susanna Ratsavong.*

GAVEL CONTEST!

This contest judges how well you read *The Gavel*. Answer the below questions correctly (write below questions or type). Tear out this box. Bring to Student Services desk to be dated and placed in *The Gavel* mailbox.
Top 3 winners will receive prize. Must print name/e-mail legibly to receive prize.

NAME:
E-MAIL:

1) In what case did Ohio Attorney General Richard Cordray present oral arguments before the United States Supreme Court?

2) What percentage of C-M's first-time takers passed the Ohio July 2009 bar exam?

3) From what school did President Ronald Berkman come to CSU?

4) How much money has the SBA allocated from its budget to date?

5) Who is the top American general in Afghanistan?

the gavel

CLEVELAND-MARSHALL COLLEGE OF LAW
CLEVELAND STATE UNIVERSITY
(216) 687-4533 TELEPHONE
(216) 687-6881 FAX
GAVEL@LAW.CSUOHIO.EDU

EDITOR-IN-CHIEF
Kevin Kovach

LAYOUT EDITOR
Susanna Ratsavong

STAFF EDITOR
Tara Chandler

STAFF
Anonymous 1L
Jason Csehi
Joe Fell
Maryann Fremion
Jillian Snyder

GAVEL COLUMNISTS
Mike Borowski
Matt Brakey
Lindsey Wilber

GAVEL CONTRIBUTORS
Scott Davidson
Matthew Hebebrand
Marilyn Robertson
Jeremy Samuels
John Stryker

ADVISER Thomas Buckley
PRINTER P.M. Graphics

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C-M Allies Symposium evaluates the movement for same-sex marriage and LGBT civil rights

By Kevin Kovach
EDITOR-IN-CHIEF

In 2004, Ohioans passed a state constitutional amendment to ban same-sex marriage, even after the General Assembly's "Super Defense of Marriage Act (Super DOMA)" took effect earlier the same year. The law provided that Ohio would recognize neither the legal status nor rights of same-sex couples. Since 2004, the state has taken minor steps towards recognizing the civil rights of lesbian, gay, bisexual and transgender Ohioans. On Friday, the Cleveland-Marshall Allies packed the C-M Moot Court Room with hundreds of lawyers, advocates, and community members for a symposium to address those steps.

The symposium received support and funding from C-M, the Cleveland State University Office of Diversity and Multicultural Affairs, CSU's Gay, Lesbian, Bisexual and Transgender Student Services, the Ohio American Civil Liberties Union, and several student organizations. Allies divided the event into panels on national, state and local, and international perspectives. Dean Mearns introduced the symposium.

Prof. Susan Becker opened the national panel by praising C-M Allies for convening the symposium. She then led attendees through a presentation on the history of the movement for LGBT civil rights.

At one point during her presentation, Becker showed a photograph of San Francisco activists Phyllis Lyon and Del Martin. In 2008, the couple married, after 55 years together. Their marriage occurred during the period between the California Supreme Court's decision legalizing same-sex marriage, and the passage of California Proposition 8 banning the same. Looking at a photo of the couple, Becker dead-panned , "You can see their life-long plot to undermine traditional marriage finally paid-off."

Becker concluded her remarks by quoting Andy Warhol. "They say that time changes things, but you actually have to change them yourself," she said.

Lambda Legal Midwest Senior Staff Attorney Camilla Taylor followed, and discussed her contributions to the legal strategy that culminated in the Iowa Supreme Court's unanimous recognition of same-sex marriage.

TOP: Panelists listen to an audience member in the balcony.
BOTTOM: An audience members poses a question.
Photos by Susanna Ratsavong.

Taylor said Lamba Legal targeted Iowa because of the state's historical leadership on civil rights issues. Iowa was the first state to admit a woman to the practice of law, desegregated public schools nearly 80 years before Brown v. Board of Education, and was among the first states to legalize interracial marriage.

Human Rights Campaign Ohio Legislative Director Sarah Warbelow evaluated current legal challenges and potential legislation, including the Employment Non-Discrimination Act (ENDA) crawling through Congress. The legislation would prohibit discrimination against employees on the basis of sexual orientation, gender identity, and disability. Warbelow noted strong support for the principles behind the measure, stating, "More than 70-percent of Americans consistently agree that it's unacceptable to fire someone on the basis of their sexual orientation."

Next, a group of panelists including Cleveland City Councilman Joe Cimperman considered state and local LGBT issues. Cimperman sponsored Cleveland's domestic partner registry and helped lead efforts to bring the 2014 Gay Games to Northeast Ohio. When an audience member questioned the value of the Games, Cimperman suggested the economic impact may open minds. "I hope that $60 million is something that says to Ohio: 'Open your heart and it may mean good things for our economy,'" he said.

Panelists also discussed the recently-passed Ohio House Bill 176, which would extend civil rights protections to LGBT persons

Paula Ettelbrick, Immediate Past Executive Director of the International Gay & Lesbian Human Rights Commission, concluded the symposium with a lecture on LGBT rights worldwide. Ettelbrick reported on provisions of Uganda's anti-homosexuality law. The statute requires execution for any HIV-positive man who engages in homosexual intercourse, even if the person does not know he was HIV-positive. Ettelbrick distinguished the law from Ugandan people as a whole, observing that numerous groups have united against the law with the theme that it is "unAfrican to hate."

ELECTION LAW

CONTINUED FROM PAGE 5

and that the Secretary of State is to be obeyed in decisions of election law unless the decision is an abuse of discretion.

McTigue often paused to take questions. When asked why states like California have so many issues on the ballot, he answered that special interest groups pay to get items on the ballot and, in turn, pay for the campaigns.

McTigue discussed unfair campaign practices. He revealed that Ohio is one of the few states that criminalizes false statements made during campaigns. Such laws can apply to both ballot issues and candidates. McTigue said that Ohio addresses infractions quickly, and noted that if a violation is found, a probable cause hearing is held three-to-five days after the complaint is filed. Proceedings can subsequently move to a full hearing of the Ohio Elections Commission. Sanctions range from a public reprimand to being charged with a misdemeanor. A sanction of any type could then have a bearing on the outcome of a ballot issue or race.

Ballot language proved a popular subject in the discussion. McTigue said language must be summarized and objective when put on the ballot. He stressed that the language must be read carefully, for writers have only "one shot" to do so. Once the language has been submitted, it cannot be changed. "It boils down to how hyper-technical you'd like to be," McTigue said, stressing that an attorney must act in his or client's best interest.

McTigue also commented on the Disclaimer Law, which resulted from McIntyre v. Ohio Elections Commission, a decision in which the Ohio Supreme Court decided that the distribution of anonymous handbills had was constitutional under Ohio's election law.

A major area of interest was campaign finance. McTigue noted that this is where the "real law of minutiae" is found. "Why lie [about campaign contributions]?" asked an audience member. McTigue replied that contributions are laundered, there are limits on the amount that a person can contribute, and that people use false names. He also noted that treasurers steal money and file false reports about contributions.

McTigue advised campaign workers not to miss ballot application deadlines. He also made it clear that one should never lie on any sort of report concerning campaign, suggesting that this is where people think that they can get by with an infraction, but then are later found out. McTigue also noted that the first case heard in the new term of the U. S. Supreme Court concerned prohibitions on campaign contributions from corporations. He said observers can in the coming months.

BLSA and SBA host first C-M dodgeball tournament

By Tara Chandler
CO-EDITOR-IN-CHIEF

This year the Cleveland-Marshall Student Bar Association decided to add some new events to the school social calendar, including an inaugural dodgeball tournament. Supreme Bar Review sponsored the event, in which forty-five students participated in nine teams of five. The tournament took place Friday, Oct. 9, in the Cleveland State Recreation Center MAC gym.

The Black Law Students Association co-hosted the event with SBA, to coincide with BLSA's health and fitness week. SBA executives Lindsay Wasko, Luisa Taddeo, Nicholas Costaras, Samantha Vajskop officiated. Fellow executive Kevin Marchaza also helped officiate when his eventual-winning team was not playing.

Marchaza's team Cobra Kai emerged from the "losers' bracket" to claim the title. Other team members included Brandon Pauley, Garrick Soja, Mike Meyer, and Nick Mihalic.

The Learned Hands team of Jim Smolinski, Justin Eddy, Aaron Bernstein, Daniel Dew and James Cochran claimed second, and the Team Ball Busters lineup of John Stryker, Anna Brown, Estina Munoz-Goertz, Udochi Onwubiko and Lynn Boris finished third.

Prizes were supplied by event sponsor Supreme Bar Review. Members of the first-place team each received $30. Second-place finishers took home $20 in C-M apparel, while each third-place team member received a free t-shirt.

The highlight of the tournament came when Jeremy Samuels spun to literally "dodge" the ball several times before going out as the last member of the BLSA team. BLSA president Aja Brooks suffered a broken a finger, and SBA President Lindsay Wasko narrowly avoided injury herself when she took a hit while reffereeing a semi-final. Thankfully, she emerged unscathed by the foam dodgeball.

ABOVE: Members of the winning Cobra Kai team. *Photo by Tara Chandler.*

CONTACT US!
Submit photos, articles, advertisements and other ideas to gavel@law.csuohio.edu.
The Gavel meets once a month to discuss story ideas and make assignments. Our next issue will be released toward the beginning of December 2009.

ATTORNEY GENERAL

CONTINUED FROM PAGE 4

have made a difference in the end, given the facts of the case, and the way his client made his own bed by his conduct on the stand," the Attorney General said. "The argument (Shaughnessy) made might well have resonated with some jurors."

When discussing the Court's potential opinion, Cordray noted that the Court has never held that a closing argument can by itself render assistance of counsel ineffective. Rather, the Court has always held that if a closing argument was prejudicial, appellate courts can compare the closing argument with the rest of the trial. Cordray observed: "You have to be highly deferential to a trial counsel's strategic decisions if they are trying to make a clear effort to try to work on behalf of their client—even though they adopt strategies we might not adopt or think of as substandard."

Cordray took audience questions after lecture. Perhaps the most contentious point came following a question over death penalty philosophy. Cordray articulated that his support for capital punishment stems from his tenure as a Supreme Court clerk, when he viewed last-minute motions for stays of execution, and became acquainted with the details of some of the most gruesome murders in the nation. An audience member followed by asking, "Isn't it bizarre that you end up in the Supreme Court arguing that because defense counsel did a barely-adequate job, we ought to execute this guy (Spisak)?"

Cordray replied, "No. The argument is that we should execute this person (Spisak) because he committed a series of heinous crimes—among the most offensive in the history of the state—and was unrepentant about it. You do not execute him because his defense counsel did an adequate job, but you might refrain from executing him because his counsel did an inadequate job."

ISSUES

CONTINUED FROM PAGE 5

other slate calls itself "Citizens Reform Association of Cuyahoga County" and actually opposes Issue 5 and supports Issue 6. This slate of 15 review commission candidates claims that it got on the ballot to give Issue 5 supporters a choice of commission candidates.

If voters approve Issue 6, it will take effect January 1. Much discussion has considered what will happen should voters approve both Issue 5 and Issue 6. Cleveland attorney Eugene Kramer helped draft the proposed Issue 6 charter and shared what has recently become the primary view of such an election result.

"If Issue 5 passes, the 15 persons who receive the greatest number of votes will constitute a charter commission, whose job it will be to draft a charter—or amendments to the then-existing charter—for submission to the electors at the November 2010 election," Kramer said.

But he cautioned that the charter review commission does not have to propose a charter or amendments. "If for some reason the commission were to fail, or decide not to, submit anything it is hard to see how a court would be able to compel them to do so," he said.

Bar Coordinator Williams ponders July bar results

By Kevin Kovach
EDITOR-IN-CHIEF

Cleveland-Marshall's Ohio July bar passage rate declined this year. Last July, 89-percent of C-M's first-time takers passed, and 86-percent of all C-M takers passed the Ohio bar. This year, 86-percent of C-M graduates passed the bar on the first attempt, while just 77-percent passed overall. C-M's first-time passage rate fell slightly below the statewide average of 87.9-percent, and the school's overall passage rate fell well short of the statewide rate of 82.4-percent. Prof. Gary Williams, Director of Academic Support and Bar Coordinator, stressed that observers would be unwise to search for some larger trend or reason behind the decline.

"It really comes down to the individual student," Williams said. He continued, "Sometimes, it's the amount of effort the student puts into studying. Sometimes, it's the amount of stress the student is going through. Sometimes, it involves something personal that the student is going through. It could be any one of a hundred things."

Williams stressed that if a graduate preparing for the bar faces an unforeseen circumstance that detracts from the person's ability to pass the exam, the student can wait until the next time the test is offered.

"You never have to sit for the bar, even if you paid," Williams advised. "You can go through the first day of the bar and decide it is not for you, and drop out. It will not count for you taking the bar and not passing," he stated. However, Williams warned that a student who puts-off taking the bar exam after already paying the fee will have to pay to reapply for the exam.

Williams dismissed the notion that the bar exam is getting more difficult. "The questions seem pretty much the same to me, going back to 1997. The bar examiners have all said their job is not to fail you, but to test competency," he noted.

The Bar Coordinator shared his advice for passing the rigorous exam. "Hard work, as little drama as possible in your life, not working if you can at all help it, and having a certain level of confidence in yourself," he said.

Trying to glean something from the data he had compiled in the hours after he received C-M's results, Williams pointed to his MPT workshop, which met once per week beginning in June. "Out of the 18 students who didn't pass (on the first attempt), 11 of those people did not attend three or more of the MPT workshops. Only three of them attended four of the seven workshops or more," Williams remarked.

"The MPT is worth upwards of 78 of arguably 600 points. I don't know anyone who has failed the bar by 78 points. I know a lot of people who have failed by 10 points or less. Doing well on the MPT is one thing that if you just take two hours a week to do and get feedback, gives you great value for your time," he stressed.

The Gavel congratulates Moot Court for their achievements thus far in the academic year.

At the Wechsler First Amendment Moot Court Competition in Washington D.C., the C-M team of Craig Tuttle, Jill Murphey, and Stefanie Baker advanced to the semi-finals and scored one of the top briefs in the competition. Team member Craig Tuttle won the award for Best Oralist.

CAREER PLANNING CLASSIFIEDS

FOR MORE INFORMATION, SEE OFFICE OF CAREER PLANNING

JOB TYPE	EMPLOYER	LOCATION	SYMPLICITY JOB NUMBER	DEADLINE
CLERKSHIP	U.S. Department of Justice	Washington, D.C.	5043	11/24/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	U.S. Department of Justice - Immigration	Cleveland	5135	11/11/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	Gervelis Law Firm	Canfield, Ohio	5006	11/12/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	Judge Hollie Gallagher	Cleveland	4981	11/13/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	Javitch, Block & Rathbone	Cleveland	4978	11/13/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	Zuckerman, Daiker & Lear	Cleveland	5111	11/14/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	Thomson Reuters	Cleveland	4993	11/17/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	Masters & Sivinski, LLC	Not listed	4551	11/26/09
LAW CLERK/INTERNSHIP/ SUMMER ASSOCIATE	The Cleveland Clinic Foundation	Cleveland	3990	11/28/09
EXTERNSHIP	City of Canton Prosecutor's Office	Canton	5045	11/24/09
SUMMER HONORS PROGRAM	Securities and Exchange Commission	Washington, D.C.	5143	11/15/09
FELLOWSHIP	CDS International, Inc.	New York City	5134	12/1/09
ENTRY-LEVEL ATTORNEY	Pickrel Schaeffer & Ebeling, LPA	Dayton	4976	11/13/09
ENTRY-LEVEL ATTORNEY	Douglass & Associates Co., LPA	Cleveland	4994	11/19/09
ENTRY-LEVEL ATTORNEY	Atlanta Legal Aid Society	Atlanta	5017	11/20/09
ENTRY-LEVEL ATTORNEY	The Chaet Kaplan Baim Firm	Chicago	5024	11/23/09